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105TH CONGRESS
1ST SESSION

H. R. 344

To establish the Bipartisan Commission on the Future of Medicare to make findings and issue recommendations on the future of the Medicare program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. STEARNS (for himself, Mr. MCHUGH, Mr. ROHRABACHER, and Mr. WOLF) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To establish the Bipartisan Commission on the Future of Medicare to make findings and issue recommendations on the future of the Medicare program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ESTABLISHMENT OF BIPARTISAN COMMISSION ON THE FUTURE OF MEDICARE.

There is established a commission to be known as the Bipartisan Commission on the Future of Medicare (hereinafter in this Act referred to as the "Commission").

SEC. 2. DUTIES.

(a) FINDINGS.—The Commission shall make specific findings regarding each of the following:

(1) Patterns of spending under the medicare program under title XVIII of the Social Security Act.

(2) The long-term solvency of the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act and the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act.

(3) The feasibility and desirability of expanding the choices available to medicare beneficiaries in the methods through which medicare benefits are provided, including providing benefits through managed care arrangements and through coordination with employer-sponsored or other private health benefit plans.

(4) The extent to which the solvency of the trust funds described in paragraph (2) is endangered by waste, fraud, and abuse under the medicare program.

(5) The quality of services provided under the medicare program.

(6) The effectiveness of the existing structure and administration of the medicare program.

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(b) RECOMMENDATIONS.—The Commission shall make specific recommendations to the Congress regarding its findings under subsection (a).

SEC. 3. MEMBERSHIP.

(a) APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 15 members appointed as follows:

(A) The President shall appoint 5 members, of whom not more than 3 may be of the same political party and at least one shall be under 35 years of age at the time of appointment.

(B) The majority leader of the Senate shall appoint, after consultation with the minority leader of the Senate, 5 members of the Senate, of whom not more than 3 may be of the same political party and at least one shall be under 35 years of age at the time of appointment.

(C) The Speaker of the House of Representatives shall appoint, after consultation with the minority leader of the House of Representatives, 5 members of the House, of whom not more than 3 may be of the same political party and at least one shall be under 35 years of age at the time of appointment.

(2) DEADLINE FOR APPOINTMENT.—The members of the Commission shall be appointed not later than 30 days after the date of the enactment of this Act.

(b) CHAIRMAN.—As the first item of business at the first meeting of the Commission, the members of the Commission shall elect a chairman of the Commission from among its members.

(c) VACANCIES.—Any vacancy in the membership of the Commission shall be filled in the manner in which the original appointment was made and shall not affect the power of the remaining members to execute the duties of the Commission.

(d) QUORUM.—A quorum shall consist of 8 members of the Commission, except that 4 members may conduct a hearing under section 5(a).

(e) MEETINGS.—The Commission shall meet at the call of its chairman or a majority of its members.

(f) COMPENSATION AND REIMBURSEMENT OF EXPENSES.—Members of the Commission are not entitled to receive compensation for service on the Commission. Members may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Commission.

SEC. 4. STAFF AND CONSULTANTS.

(a) STAFF.—The Commission may appoint and determine the compensation of such staff as may be necessary to carry out the duties of the Commission. Such appointments and compensation may be made without regard to the provisions of title 5, United States Code, that govern appointments in the competitive services, and the provisions of chapter 51 and subchapter III of chapter 53 of such title that relate to classifications and the General Schedule pay rates.

(b) CONSULTANTS.—The Commission may procure such temporary and intermittent services of consultants under section 3109(b) of title 5, United States Code, as the Commission determines to be necessary to carry out the duties of the Commission.

SEC. 5. POWERS.

(a) HEARINGS AND OTHER ACTIVITIES.—For the purpose of carrying out its duties, the Commission may hold such hearings and undertake such other activities as the Commission determines to be necessary to carry out its duties.

(b) STUDIES BY GENERAL ACCOUNTING OFFICE.—Upon the request of the Commission, the Comptroller General shall conduct such studies or investigations as the Commission determines to be necessary to carry out its duties.

(c) COST ESTIMATES BY CONGRESSIONAL BUDGET OFFICE.—

(1) IN GENERAL.—Upon the request of the Commission, the Director of the Congressional Budget Office shall provide to the Commission such cost estimates as the Commission determines to be necessary to carry out its duties.

(2) REIMBURSEMENT.—The Commission shall reimburse the Director of the Congressional Budget Office for expenses relating to the employment in the office of the Director of such additional staff as may be necessary for the Director to comply with requests by the Commission under paragraph (1).

(d) DETAIL OF FEDERAL EMPLOYEES.—Upon the request of the Commission, the head of any Federal agency is authorized to detail, without reimbursement, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties. Any such detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(e) TECHNICAL ASSISTANCE.—Upon the request of the Commission, the head of a Federal agency shall provide such technical assistance to the Commission as the Commission determines to be necessary to carry out its duties.

(f) USE OF MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as Federal agencies, and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(g) OBTAINING INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out its duties, if the information may be disclosed under section 552 of title 5, United States Code. Upon request of the Chairman of the Commission, the head of such agency shall furnish such information to the Commission.

(h) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission on a reimbursable basis such administrative support services as the Commission may request.

(i) ACCEPTANCE OF DONATIONS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(j) PRINTING.—For purposes of costs relating to printing and binding, including the costs of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.

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SEC. 6. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Commission shall submit to Congress a report containing its findings and recommendations under section 2, and shall include in the report recommendations for appropriate legislative initiatives to carry out its recommendations.

SEC. 7. TERMINATION.

The Commission shall terminate 30 days after the date of submission of the report required in section 6.

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